

**APPLICATION FOR PERMISSION TO CHANGE POINT OF DIVERSION, MANNER
OF USE AND PLACE OF USE OF THE PUBLIC WATERS OF THE
STATE OF NEVADA HERETOFORE APPROPRIATED**

Date of filing in State Engineer's Office MAR 23 1992

Returned to applicant for correction APR 24 1992

Corrected application filed JUN 22 1992 Map filed FEB 27 1992 under 57248

The applicant Sierra Creek Ranch, Inc., c/o Vasey Engineering Co., Inc.

P O Box 247

of

Minden

Street and No. or P.O. Box No.

City or Town

Nevada 89423

State and Zip Code No.

herchy make... application for permission to change the

Manner of Use of a Portion

Point of diversion, manner of use, and/or place of use

of water heretofore appropriated under A District Court Decree dated August 29, 1879,
Identify existing right by Permit, Certificate, Proof or Claim Nos. If Decree, give title of Decree and
affirmed by the Nevada Supreme Court in a decision dated April 1, 1885, Case No.
Identify right in Decree.

1081 as they pertain to 7/10 of the flow in Sierra Canyon Creek.

- The source of water is Sierra Canyon Creek (Infiltration Well)
40 percent of 7/10 of the flow in Sierra
Name of stream, lake, underground source or other source.
- The amount of water to be changed Canyon Creek (see remarks)
Second foot, acre feet. One second foot equals 448.83 gallons per minute.
- The water to be used for Quasi-Municipal Purposes
Irrigation, power, mining, industrial, etc. If for stock state number and kind of animals.
- The water heretofore permitted for Irrigation, stock and domestic purposes (see remarks)
Irrigation, power, mining, industrial, etc. If for stock state number and kind of animals.
- The water is to be diverted at the following point within the NE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 3, T.13N., R.19E.,
Describe as being within a 40-acre subdivision of public survey and by course and
M.D.B.&M., Douglas County, Nevada, or at a point from which the Southwest corner
distance to a section corner. If on unsurveyed land, it should be stated.
of said Section 3 bears S 50°40'W, 2934 feet-Infiltration Well No.(see remarks).
- The existing permitted point of diversion is located within the NE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 3, T.13N., R.19E.,
If point of diversion is not changed, do not answer.
M.D.B.&M. The aforementioned Decree does not indicate a specific point of diversion.
Sierra Canyon Creek is within 300 feet of the proposed point of diversion.
- Proposed place of use No Change.
Describe by legal subdivisions. If for irrigation state number of acres to be irrigated.
- Existing place of use portions of the SE SE, NE SE, NW SE, SW SE, SE NE, SW NE, NE
Describe by legal subdivisions. If permit is for irrigation, state number of acres irrigated. If changing place of use and/or
SW, NW NE, SE SW and the SW SW of Section 3; Portions of the SE NE, NE NE, NW
manner of use of irrigation permit, describe acreage to be removed from irrigation. NE, SW NE, NE NW and the NW NW of
Section 10 all in T.13N., T.19E., M.D.B.&M., Douglas County, Nevada (see remarks).
- Use will be from January 1 to December 31 of each year.
Month and Day Month and Day
- Use was permitted from January 1 to December 31 of each year.
Month and Day Month and Day
- Description of proposed works. (Under the provisions of NRS 535.010 you may be required to submit plans and
specifications of your diversion or storage works.) a drilled infiltration well, 500,000 gallon
storage tank, and water lines of various
State manner in which water is to be diverted, i.e. diversion structure,
sized necessary to provide potable water and fire protection for the development.
ditches, pipes and flumes, or drilled well, etc.
- Estimated cost of works \$1,732,000.
- Estimated time required to construct works 5 years

14. Estimated time required to complete the application of water to beneficial use.....10 years

15. Remarks: For use other than irrigation or stock watering, state number and type of units to be served or annual consumptive use:

See Attachment

By s/B. J. Vasey B.J. Vasey
PO Box 247
Minden, NV 89423

¹Compared bc/bc bk/vjw

Protested.....

OF STATE ENGINEER

This is to certify that I have examined the foregoing application, and do hereby grant the same, subject to the following limitations and conditions:

This permit to change the point of diversion, manner and place of use of a portion of the waters of Sierra Canyon Creek as heretofore granted under district court decree, Case No. 1081, Sierra Canyon Creek Decree, and affirmed by the Supreme Court of the State of Nevada (Jones v. Adams, 17 Nev. 85) is issued subject to the terms and conditions imposed in said decree and with the understanding that no other rights on the source will be affected by the change proposed herein. The infiltration well shall be equipped with a 2-inch opening and a totalizing meter must be installed and maintained in the discharge pipeline near the point of diversion and accurate monthly measurements must be kept on water placed to beneficial use. The totalizing meter must be installed before any use of the water begins or before the proof of Completion of Work is filed. The state retains the right to regulate the use of the water herein granted at any and all times.

A monthly report shall be submitted to the State Engineer within 10 days from the end of each month which shall include the amount of water pumped from each well and the amount of water used.

This permit does not extend the permittee the right of ingress and egress on public, private or corporate lands.

The issuance of this permit does not waive the requirements that the permit holder obtain other permits from State, Federal and local agencies.

(CONTINUED ON PAGE 2)

The amount of water to be changed shall be limited to the amount which can be applied to beneficial use, and not to exceed 1.11 cubic feet per second, but not to exceed

*280 acre-feet annually.

Work must be prosecuted with reasonable diligence and be completed on or before December 1, 1994

Proof of completion of work shall be filed before: January 1, 1995

Application of water to beneficial use shall be made on or before..... December 1, 1997

Proof of the application of water to beneficial use shall be filed on or before..... January 1, 1998

Map in support of proof of beneficial use shall be filed on or before.....N/A

Completion of work filed FEB 2 - 1995

Proof of beneficial use filed.....

Cultural map filed.....

Certificate No. _____ Issued _____

IN TESTIMONY WHEREOF, I, R. MICHAEL TURNIPSEED, P.E.,
State Engineer of Nevada, have hereunto set my hand and the seal of my
office, this 1st day of December.

A.D. 1992

State Engineer

Abrogated By 59146T 0.95 ^{exp} 6-15-94
104338 1.11

ATTACHMENT

Please use the map submitted to support Applications 57248 and 57249 to support this Application.

Item 2. No rate of diversion is given in the aforementioned Decree other than "seven tenths of the water of Sierra Creek." The rate of diversion is based on the water requirements of the Genoa Lakes Project, which will have a water system serving 220 dwelling units, a golf course club house, and landscaping. The water system will include a 500,000 gallon storage tank for fire protection. The rate of diversion is estimated to be 500gpm during the time the pump in the infiltration well is pumping. The U.S. Geological Survey Water-Resources Investigations Report 86-4328 in Table 2 indicates that the estimated runoff in Sierra Creek is 1000 acre-feet per year. 7/10 of 1000 acre feet is 700 acre feet and this Application together with Application 57327 proposes to change a combined total of 280 acre feet per year or 40% of the water right in Sierra Canyon Creek owned by Sierra Creek Ranch, Inc.

Item 4. The manner of use is stated in the aforementioned Decree.

Item 5. It is the intent of the Applicant to withdraw a portion of the Sierra Canyon Creek water right established in the aforementioned Decree from an infiltration well.

Item 8. The aforementioned Decree indicates "that the Plaintiff, Joseph Jones, is entitled to use, as the first appropriator, upon his said land, upon each and every part thereof, seven-tenths of all the water customarily flowing in said Sierra Creek, and is entitled to divert the said water from the said stream upon his said land by means of flumes, ditches, or otherwise, and to use the same upon his said land for the irrigation thereof; and to use so much of the said seven-tenths of said stream as is necessary for his stock and domestic purposes." (Third Finding).

The above-described Jones land is now known as the Sierra Creek Ranch where the Genoa Lakes Project is being developed.

A copy of the Tentative Map for the Genoa Lakes Planned Unit Development, which has been approved by Douglas County, is enclosed.

Item 15. Each of the two (2) Infiltration wells will be equipped with submersible pumps capable of pumping 500 gpm each. The pumps will turn on a portion of each day depending on demands in the system. Water will be stored in a 500,000 gallon storage tank to meet a fire fighting demand. The portion of the existing water right being changed is described in Item 2 above.

(PERMIT TERMS CONTINUED)

*The annual duty of water under this permit is initially limited to 90 acre-feet. A minimum of 280 acre-feet annually to be changed under Permits 57327 and 57328 must be diverted back into the natural channel of Sierra Canyon Creek east of the major fault line at the base of the Sierra Nevada Mountain Range. Measuring devices to be approved by the State Engineer must be installed, maintained and weekly records of flow kept at or near the discharge point to the natural channel and at the point at which the channel crosses beneath Foothill Road. The monitoring wells constructed under Waiver Number W-365 for said permits shall be monitored on a weekly basis. Records of flow and static water levels shall be submitted to the Office of the State Engineer on a monthly basis. The measuring devices and static water level measurement must begin at least 3 months prior to the drilling and pumping of the proposed wells under said permits. The annual duty of water allowed by this permit may be raised to a maximum of 280 acre-feet in stages and as approved and authorized by the State Engineer only after the State Engineer has determined that the additional withdrawal will not adversely affect existing rights or the ground water resource.

